IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.18649 OF 2007

Dated: September 3, 2007

Between:

G. Prakash, S/o. G. Balraj, aged 59 years,
R/o.D-37, B-Blocks, Malakpet Colony,
Hyderabad.

... Petitioner

And

Government of A.P., rep. by its Principal
Secretary, General Administration (Accoms)
Secretariat, Hyderabad.

... Respondent

Order:

This writ petition has been filed seeking Mandamus to declare notice dated 07-07-2007, issued by the respondent in Memo No.8018/Accom.C1/2007-1 as illegal and arbitrary.

2. Heard learned counsel for the petitioner and learned Government Pleader for G.A.D. appearing on behalf of the respondent.

3. Petitioner, while working as Helper, Grade-II, in the office of the Executive Engineer, R&B, Goshamahal, was allotted Government Quarter bearing D.No.37 in B-Blocks, Malakpet on 28-02-1990. He retired from service on 31-01-2007 on attaining the age of superannuation. Thereafter, he made representation dated 19-06-2007 to the respondent requesting to continue in the said quarter for some more period, stating that his retirement benefits have not been settled and his wife is suffering from heart ailment. However, by the impugned proceedings, the request of the petitioner was rejected and directions were issued to the Estate Officer, to take steps for vacation of the said quarter.

3. Learned counsel for the petitioner submits that his representation dated 19-06-2007 has not been considered.

4. However, a reading of the impugned order indicates that the request of the petitioner to continue in the said quarter was rejected, referring to his representation. As much as the petitioner has already retired from service on 31-01-2007, I do not find any illegality in the impugned proceedings warranting interference under Article 226 of the Constitution of India. However, in view of the reasons stated by the petitioner, he is granted eight weeks time, from today, to vacate the said quarter. Till such time, no steps shall be taken to evict the petitioner.

5. The writ petition is accordingly disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY.

September 3, 2007

N.B. **Furnish copy in two days**
B.O.
MRR